

CENTRAL INTELLIGENCE AGENCY SPOUSES RETIREMENT EQUITY ACT OF 1982

Last year's annual report included a very brief description of the CIA Spouses Retirement Equity Act of 1982, enacted by Title VI of Public Law 97-269 approved 27 September 1982. As a direct amendment to CIARDS, this legislation does not require a conforming Executive order, but does need the third step in the amending process, which is the revision of Agency regulations. 25X1

The purpose of this legislation is to provide a measure of protection to former spouses as well as current spouses. A former spouse is a former wife or husband who was married to an Agency employee during at least 10 years of creditable service, at least 5 years of which were spent outside the United States by both the employee and the spouse. When these conditions are met, the new legislation applies to employees of the Agency whether they are under CIARDS or the Civil Service Retirement System, and the provisions follow an Agency employee who transfers to another Government agency. 25X1

During the fiscal year 1983 the Agency used a series of letters and other issuances to do a highly commendable job of informing current employees, annuitants, spouses, and former spouses of the enactment and the provisions of the CIA Spouses Retirement Equity Act of 1982. 25X1

By 30 September 1983, 71 individuals had made direct inquiries about their eligibility for benefits under P.L. 97-269. Most of these inquiries have been resolved by correspondence informing the inquirer that all of the requirements are not met. Two former spouses are currently receiving benefits under this new law. Another 7 have been informed that they will be eligible for a share of monthly annuity when the employee retires, and a final 7 will be eligible for a monthly benefit if they survive the retired employee to whom they were formerly married.

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The Central Intelligence Agency Spouses' Retirement Equity Act will not be easy to administer. It is a complex legislative enactment, particularly because it applies to Agency employees regardless of which retirement system they are under and it follows them if they transfer to another part of the government.

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5. There were no changes in the law that will have any bearing on the exercise of discretion to designate Agency employees for participation in CIARDS.

The legislation which mandates Social Security coverage for Agency employees hired on or after 1 January 1984 will require major changes in both CIARDS and CSRS to coordinate them with Social Security. It is essential that the new system continue to serve the Agency needs now met by CIARDS.

6. Executive Order 12443 issued 27 September 1983 conforms CIARDS to amendatory legislation enacted 8 September 1982, 15 October 1982, and 21 December 1982. The nine-month delay between the last amendment and issuance of the Executive order occurred after the draft order left the Agency, and was beyond the control of the Agency.
7. The CIARDS regulations were not revised during the year. Revisions to reflect legislation enacted in September of 1982 have not yet been issued. This revision was delayed pending issuance of Executive Order 12443 which was finally approved 27 September 1983, but the revisions are still pending as this is written.
8. The Agency is carrying out its responsibilities under the Central Intelligence Agency Spouses' Retirement Equity Act of 1982 in a highly commendable fashion. Appropriate notices have been given to persons potentially affected, and individual inquiries have been handled with dispatch.

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